

CIVIL DOCKET
UNITED STATES DISTRICT COURT

Jury demand date:

D. C. Form No. 106A Rev.

TITLE OF CASE	ATTORNEYS
<p>VELLA DEE JOHNSON</p> <p>vs</p> <p>CENTRAL STATES, SOUTHEAST AND SOUTHWEST AREAS PENSION FUND, and FRANK E. FITZSIMMONS, ROY L. WILLIAMS, ODELL SMITH, WILLIAM PRESSER, ROBERT HOLMES, DONALD PETERS, J. W. MORGAN, FRANK H. RANNEY, C. J. MADIGAN, A. D. MATHESON, JOHN A. MURPHY, THOMAS J. DUFFEY, JOHN SPICKERMAN, HERMAN A. LUEKING, JR., J. A. SHEETZ AND WILLIAM J. KENNEDY, THE TRUSTEES THEREOF</p>	<p>For plaintiff:</p> <p>Blackstock & McMillan <i>367-2266</i> Ralph C. Thomas P. O. Box 1200 Bristow, Oklahoma 74010</p> <p>Ralph C. Thomas <i>939-6351</i> 3120 E. 4th Place Tulsa, Okla. 74104</p> <p>For defendant:</p> <p>Ungerman, Grabel & Ungerman <i>(Jeff Nixon)</i> Sixth Floor Wright Bldg Tulsa, Oklahoma 74103</p> <p>Goldberg, Previant & Uelmen 6th Floor Midland Bank Bldg 211 W. Wisconsin Avenue Milwaukee, Wisconsin 73203</p>

STATISTICAL RECORD	COSTS		DATE	NAME OR RECEIPT NO.	REC.	DISB.
J.S. 5 mailed <i>10-1-73</i>	Clerk		1973 9-11	Ungerman	15 00	
			9/13/73	C.D. No. 7		15 00
J.S. 6 mailed <i>5-1-74</i>	Marshal		5-23-74	Ungerman	5 00	
			5-30-74	C.D. #47		5 00
Basis of Action:	Docket fee					
disability pension	Witness fees					
benefits under pension						
plan of defendants	Depositions					
Action arose at:						
Creek County						

DATE	PROCEEDINGS	Date Order or Judgment Noted
9-11-73	Petition for removal from District Court of Creek County, Bristow Division, Oklahoma, filed. ds	
9-11-73	Bond on removal filed. American Casualty Co. of Reading, Pa., Surety, in the sum of \$500.00. ds	
9-11-73	Notice of filing petition for removal and bond for removal, filed. ds	
9-11-73	Defendants' answer, filed. ds	
10-10-73	Case set for pre-trial hearing before Magistrate 10-24-73 at 9:30 a.m. (LB-J)hm	
10-23-73	Case stricken from pre-trial hearing, to be reset. (MLB-Mag)hm	
11-26-73	Case set for pre-trial hearing 12-10-73 at 1:30 p.m. (LB-J)hm	
12-10-73	Pre-trial hearing held. Statements made. Pltf. to prepare and file pre-trial order within 10 days and case to be tried to the Court sometime in Feb. Deft. given permission to file motion for S/J. (LB-J)hm	
1-30-74	Pretrial order, filed. (LB-J) s	
2-1-74	Case set for non-jury trial 2-8-74 at 1:30 p.m. (LB-J).s	
2-5-74	Case stricken from non-jury trial 2-8-74, to be reset on next docket. (LB-J)hm	
3-22-74	Case set for non-jury trial 4-2-74 at 9:30 A.M. (LB-J)jj	
4-2-74	Defts' memorandum of points and authorities, filed. hm	
4-2-74	Case tried to the Court. Parties announce ready. At close of evidence, Court takes ruling under advisement and directs parties to file proposed F/F & C/L within 20 days; along with supporting briefs, and Court to then enter final order. (LB-J)hm	
4-2-74	Trial exhibits, filed. hm	
4-22-74	Post Trial Brief for the Defendants, filed. e	
4-22-74	Deft's Proposed Findings of Fact and Conclusions of Law, filed. e	
4-22-74	Pltf's response to defts' memorandum of points and authorities, filed. hm	
4-22-74	Pltf's suggested F/F and C/L, filed. hm	
4-22-74	Pltf's brief in support of F/F & C/L, filed. hm	
4-26-74	Findings of fact and conclusions of law, filed. (LB-J)hm	
4-26-74	Order and judgment, filed and entered, that pltf. recover judgment from deft. Central States, Southeast & Southwest Areas Pension Fund & current Trustees thereof in amt. of \$15,000.00, with int. at rate of 6% per annum commencing with the first payment due 60 days after the death of Noble O. Johnson on 8-29-68, until all of monthly payments have accrued and are payable until this date; & int. at rate of 10% per annum thereafter on both principal & int. until paid. (LB-J)hm (copies of F/F & Judgment mailed)	

D. C. 110A Rev. Civil Docket Continuation

DATE	PROCEEDINGS	Date Order or Judgment Noted
5-23-74	Notice of appeal by defendants, filed. cpies to USCA & counsel.	
5-23-74	Bond for costs on appeal (\$250 cash), filed. g	
5-23-74	Mailing list for attorneys of record other than attorneys of record, filed. g	
6-27-74	Order, filed, extending time to docket appeal to 8-19-74. (LB-J)g	c to USCA
8-19-74	Transcript of trial proceedings, filed. g	
8-19-74	Appeal record (2 vols.) sent to USCA. g	
5-1-75	Mandate & Opinion of USCA reversing judgment of 4-26-74, with directions to vacate the judgment and dismiss the action, filed and spread of record. Costs taxed against appellee is sum of \$65.00. g	
6-6-75	Order, filed and entered, that pursuant to Mandate & Opinion of USCA the above cause is dismissed w/prejudice.(LB-J)rm-copies mailed	
6-11-75	Appeal record (2 vols) received from USCA. rm	
5-4-82	APPLIC from defts to disburse \$250.00 cash bond.(0 as part of applic & to J)a	
5-5	ORDER directing Clk to disburse \$250.00 cost bond to Maynard I. Ungerman. (HDC-J) jc (c/Ungerman)	

DATE	PROCEEDINGS	Date Order or Judgment Note